

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL CASE NO. 3:12CV38-FDW-DSC

SHARON THOMAS,)	
)	
Plaintiff,)	
)	
vs.)	<u>MEMORANDUM AND</u>
)	<u>ORDER</u>
THE STATE OF NORTH CAROLINA,)	
et al.,)	
)	
Defendants.)	
_____)	

THIS MATTER is before the Court on *pro se* Plaintiff's "Motion for Leave to Amend Complaint" (document #19) filed March 12, 2012. Plaintiff seeks leave to amend after removal of her state case to this Court in order to clarify her claims and provide a more detailed statement of the factual basis for those claims.

This matter was referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1).

Having conferred telephonically with the chambers of the Honorable Frank D. Whitney (the District Judge to whom this case is assigned), the Court **GRANTS** Plaintiff's "Motion for Leave to Amend Complaint" (document #19). The Court **DEEMS** the proposed Amended Complaint attached to the Motion as **FILED** and directs the Clerk to docket this as Plaintiff's First Amended Complaint.

It is well settled that an amended pleading supersedes the original pleading, and that motions directed at superseded pleadings are to be denied as moot. Young v. City of Mount Ranier, 238 F. 3d 567, 573 (4th Cir. 2001) (amended pleading renders original pleading of no effect); Turner v. Kight, 192 F. Supp. 2d 391, 397 (D. Md. 2002) (denying as moot motion to dismiss original

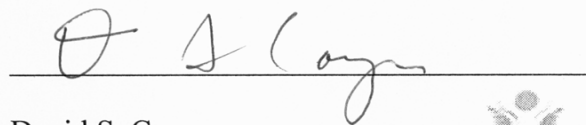
complaint on grounds that amended complaint superseded original complaint).

Accordingly, “Defendants Orange County Government and Orange County Department of Social Services’ Motion to Dismiss” (document #11), “Motion of Defendant UNC Health Care to Dismiss Complaint” (document #13) and “University Defendants’ Motion to Dismiss” (document #17) are administratively **DENIED** as moot without prejudice.

The Clerk is directed to send copies of this Memorandum and Order to counsel for the parties; and to the Honorable Frank D. Whitney.

SO ORDERED.

Signed: March 16, 2012

A handwritten signature in black ink, appearing to read "D. S. Cayer", is written over a horizontal line.

David S. Cayer
United States Magistrate Judge

